

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE

2004 SEP 27 P 12:32

UNITED STATES OF AMERICA

CRIMINAL NO.

v.

U.S. DISTRICT COURT
DISTRICT OF MASS.
VIOLATIONS:

NICOLE N. BARTLETT,

18 U.S.C. § 513 (a)

Defendant

(Making, Possessing, Uttering
Forged Securities)

04 CR 10297 RWZ

INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

INTRODUCTION

1. At all times material to this Information, Defendant NICOLE N. BARTLETT, (hereinafter "BARTLETT") resided at 77 Oakleaf Drive in Marshfield, Massachusetts.
2. At all times material to this Information, The Children's Museum was a private, nonprofit educational museum with its principal place of business located at 300 Congress Street, Boston, Massachusetts. The Children's Museum features creative hands-on exhibits designed to engage young children.
3. At all times material to this Information, BARTLETT was employed by The Children's Museum as a payroll supervisor. BARTLETT began her employment at The Children's Museum on September 30, 1998.
4. From at least February 1997 through on or about June 2000, The Children's Museum maintained various checking accounts with Fleet Bank ("Fleet"), including a payroll checking account no. XXXXXX213. From on or about June 2000 through March 2003, The Children's Museum maintained various checking accounts with Sovereign Bank New

England ("Sovereign"), including a payroll checking account no. XXXXXXXX110.

5. At all times material to this Information, The Children's Museum retained the services of Automated Data Processing ("ADP") to prepare its payroll checks. In connection with ADP's preparation of The Children's Museum's payroll checks, BARTLETT electronically submitted, via a dedicated modem, weekly requests to ADP for the issuance of checks. After the checks were prepared, ADP made weekly deliveries of the payroll checks to BARTLETT. Upon receipt of the payroll checks, BARTLETT was responsible for distributing checks and payment stubs to all employees.

6. At all times material to this Information, BARTLETT routinely directed ADP to issue payroll checks on the payroll accounts enumerated in paragraph 4 made payable to other employees of The Children's Museum and, on occasion, herself (the "ADP payroll checks") without authorization or permission to do so.

7. At all times material to this Information, The Children's Museum, through ADP, maintained tax withholding accounts with Fleet Bank and Sovereign Bank (for the respective time periods enumerated in paragraph 4 above) on behalf of each of its employees.

8. At all times material to this Information, BARTLETT routinely directed ADP to issue checks made payable to other employees of The Children's Museum from the employee tax withholding accounts (the "ADP payroll tax withholding checks") without authorization or permission to do so.

9. At all times material to this Information, The Children's Museum maintained a manual checkbook on the same payroll accounts accessed by ADP. This checkbook was located in a locked safe in the accounting department. Handwritten payroll checks were used

to: (i) replace lost or inaccurate payroll checks prepared by ADP, (ii) make vacation pay, and (iii) otherwise compensate an employee without delay.

10. At all times material to this Information, BARTLETT prepared handwritten checks made payable to other employees of The Children's Museum from the auxiliary payroll checking account and induced two authorized signatories on the account to endorse the checks by providing them with falsified back-up documentation.

11. At all times material to this Information, BARTLETT negotiated the forged ADP payroll checks, ADP payroll tax withholding checks, and handwritten payroll checks (collectively, "the forged checks") by falsely endorsing said checks and then depositing them into her personal accounts at Rockland Federal Credit Union and Abington Savings Bank, typically via an ATM machine. BARTLETT also caused certain of the forged checks to be deposited into two bank accounts held in her mother's name at Rockland Federal Credit Union.

12. At all times material to this Information, The Children's Museum received statements from Fleet and Sovereign (for the respective time periods enumerated in paragraph 4 above) summarizing the past month's activity in The Children's Museum's payroll accounts. The monthly bank statements contained the canceled checks issued on The Children's Museum's payroll account during the preceding month. As The Children's Museum's payroll supervisor, BARTLETT received these monthly statements and was responsible for reconciling individual checks against the ADP register.

13. From in or about October 1998 through in or about March 2003, in the District of Massachusetts and elsewhere, the defendant, NICOLE N. BARTLETT, through this

scheme defrauded her employer, The Children's Museum, and fellow employees of The Children's Museum, by a total of more than \$200,000 by causing the forged checks to be issued and converting those checks for her personal use; specifically, over 440 unauthorized The Children's Museum checks either prepared by ADP or handwritten checks prepared by BARTLETT drawn on the payroll account.

14. The total of over 440 forged checks included approximately fifty-seven (57) ADP payroll tax withholding checks. The face value of these checks totaled nearly \$30,000, were made payable to thirty-six (36) different The Children's Museum employees, and were drawn from funds contributed by those employees to their federal tax withholding payroll accounts.

COUNTS ONE THROUGH TWELVE

(Uttering Counterfeit Securities - 18 U.S.C. § 513(a))

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

15. Paragraphs 1 through 14 are realleged and incorporated by reference as though fully set forth herein.

16. On or about approximately the dates set forth below, in the District of Massachusetts and elsewhere, defendant BARTLETT, did on the following occasions, make, utter and possess forged securities, to wit, checks of The Children's Museum, a corporate organization, with the intent to deceive that company and other persons and organizations:

<u>COUNT</u>	<u>DATE</u>	<u>FORGED SECURITY</u>
1	2/28/03	The Children's Museum Payroll check no. 00022864 payable to Abigail Glovsky in the amount of \$426.20
2	1/17/03	The Children's Museum Payroll check no. 00022593 payable to Lou Casagrande in the amount of \$500.00
3	9/27/02	The Children's Museum Payroll check no. 00021836 payable to Denise Hall in the amount of \$3,364.99
4	9/13/02	The Children's Museum Payroll check no. 00021768 payable to Diane Palazzi in the amount of \$1,159.00
5	5/3/02	The Children's Museum Payroll check no. 00020764 payable to Neil Gordon in the amount of \$1,000.00
6	12/7/01	The Children's Museum Payroll check no. 00019825 payable to Katherine Rose in the amount of \$1,160.73

7	4/27/01	The Children's Museum Payroll check no. 00018486 payable to Charlayne Murrell in the amount of \$1,584.53
8	6/28/00	The Children's Museum Payroll check no. 1317 payable to Angela Hurley in the amount of \$1217.57
9	4/12/00	The Children's Museum Payroll check no. 1288 made payable to Joan Lester in the amount of \$788.42
10	6/11/99	The Children's Museum Payroll check no. 00012674 made payable to Joseph Demby in the amount of \$497.52
11	4/16/99	The Children's Museum Payroll check no. 00012199 made payable to Michael Dorval in the amount of \$543.82
12	10/2/98	The Children's Museum Payroll check no. 00010623 made payable to Barbara Goldfinger in the amount of \$598.17

All in violation of Title 18, United States Code, Section 513(a).

NOTICE OF ADDITIONAL FACTORS

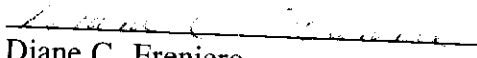
THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

17. The offense charged in Counts One through Twelve of this Information (making, possessing, uttering forged securities in violation of 18 U.S.C. §513(a)):
- (A) involved a loss exceeding \$200,000, as described in U.S.S.G. §2B1.1(b)(1)(G);
 - (B) involved 50 or more victims, as described in U.S.S.G. §2B1.1(b)(2)(B); and
 - (C) the defendant abused a position of public or private trust in a manner that significantly facilitated the commission or concealment of the offense, as described in U.S.S.G. §3B1.3.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:


Diane C. Freniere
Assistant U.S. Attorney

Dated: September 27, 2004

04 CR 10297 RWZ

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense:

Category No. III

FILED
CLERK'S OFFICE

Investigating Agency U.S.P.S.

City Marshfield

Related Case Information:

County Plymouth

Superseding Ind./ Inf.

Same Defendant

Magistrate Judge Case No.

Search Warrant Case Number

R 20/R 40 from District of

2004 SEP 27 P 12:32

U.S. DISTRICT COURT
DISTRICT OF MASS.

Case No.

New Defendant

Defendant Information:

Defendant Name Nicole N. Bartlett

Juvenile

☐ Yes☒ No

Alias Name None

Address 77 Oakleaf Drive, Marshfield, MA

Birth date: 1960 SS#: XXXX6846 Sex: F Race: Caucasian Nationality: U.S.A.

Defense Counsel if known: Peter E. Gelhaar

Address: One Beacon Street

Boston, MA 02108

Bar Number:

U.S. Attorney Information:

AUSA Diane Freniere

Bar Number if applicable 559052

Interpreter: ☐ Yes ☒ No

List language and/or dialect:

Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested☒ Regular Process☐ In Custody

Location Status:

Arrest Date:

☐ Already in Federal Custody as

in

☐ Already in State Custody☐ Serving Sentence☐ Awaiting Trial☐ On Pretrial Release: Ordered by

on

Charging Document:

☐ Complaint☒ Information☐ Indictment

Total # of Counts:

☐ Petty☐ Misdemeanor☒ Felony Twelve

Continue on Page 2 for Entry of U.S.C. Citations

☒

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: September 27, 2004

Signature of AUSA:

Diane Freniere

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Nicole N. Bartlett

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §513(a)</u>	<u>Making, Possessing, Uttering Forged Securities</u>	<u>1 -12</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____